

17 – 3: DIVISION OF RADIATION CONTROL
Licensing [Permitting] Process
Commercial Radioactive Waste Disposal Facilities

5-step licensing process:

1. Siting
2. Licensure
3. Local planning and zoning approval
4. Legislature
5. Governor

Siting

- Applicant submits siting application to Division of Radiation Control, Department of Environmental Quality
- Criteria to be met is outlined in Utah Radiation Control Rules R313-25-3 (focus on appropriate location)
- Completeness and technical review conducted by the Division
- Draft Siting Evaluation Report (SiER) prepared and preliminary decision provided for public comment
- Public comment, hearing
- Final decision by Executive Secretary, appealable to Radiation Control Board (RCB)
- Administrative hearing process (if applicable to Radiation Control Board)
- Final Agency Action, appealable to Utah Court of Appeals

Licensure

- Upon successful approval of siting, license application submitted to Division of Radiation Control, Department of Environmental Quality
- Criteria to be met is outlined in Utah Radiation Control Rules R313-15, R313-22, R313-22 such as:
 - Radiation Protection Program
 - Principal Design Features, Descriptions, Design Criteria, Justification (e.g., clay liner, concrete overpacks, cover, drainage systems)
 - Performance Assessment
 - Institutional Requirements (state or federal government land ownership) – required rule exemption for private land ownership by RCB
- Completeness and technical review conducted by the Division
- Draft Safety Evaluation Report (SER) and draft Radioactive Material License (RML) prepared and preliminary decision provided for public comment
- Public comment, hearing
- Final decision by Executive Secretary, appealable to Radiation Control Board
- Administrative hearing process (if applicable to Radiation Control Board)
- Final Agency Action, appealable to Utah Court of Appeals

Local Planning and Zoning Approval

- Local jurisdiction (city or county) must approve facility
- May occur anytime during the licensing process

Legislative/Gubernatorial Approval

- Required to occur after technical decision by DEQ
- May consider “all” concerns (e.g., do we want the facility or not)
- May be approved through concurrent resolution

All Steps Must be Successfully Completed for License to be in Effect

